

The Troubles in Kansas.
The old game is revived; pursuit after Free State men, and utter obliviousness as to the crimes of Pro-slavery men. Montgomery and Brown are to be hunted down like wild beasts, while Hamilton and his horde of robbers and murderers, are to be allowed free range.

The St. Louis Democrat has correspondence from Ossawatimie, dated December 27th, that gives the history of late disturbances in Southern Kansas.

The murder at Cheolaca's Trading Post last May, and the subsequent killing of Mr. Pope, and the seriously wounding of another citizen near Pappinville, all of which were done with the most inhuman and barbarous means, and upon citizens widely and favorably known for their peaceable and law-abiding lives all these, coupled with the fact that the innocent were persecuted, while the perpetrators of those great atrocities go unpunished of justice, at the command of many citizens along the border; all these have bred in the minds of many, a feeling of hatred in the Territory, which only wants the match to be applied to the train, in order to set the whole combustible material in a blaze.

It appears that for several weeks past, several negroes in Vernon Co., Mo., have been making a nuisance of themselves in the neighborhood of Little Osage, have been arranging for running away from their masters, and with this view one of their number called Jim, belonging to the Lawrence estate, and in the service of Mr. Hickman had crossed over to Barrenville, Boone County, Kansas, under the pretext of selling horses, but really to arrange for the flight of himself and companions. On Monday night, the 20th inst., a company of twenty five made their appearance, at the house of Mr. Hickman and Isaac Larns, from each of whom five negroes were taken, five of which, in the care of Hickman, belonged to the Lawrence estate. They also took horses, mules and other property to an unknown amount. While this was transpiring on the North side of the Little Osage, on the South side another and more revolting scene was being enacted.

A party in stealing a negro of Mr. C. and runners were dispatched through Missouri to raise a force for the invasion of Kansas. Many of the citizens of Vernon county, of free soil principles, were ordered to leave among the rest, a Mr. Bloomfield, a citizen of Missouri for the last eighteen years, and a wealthy farmer and trader. He had taken a very active part in the overthrow of the pro-slavery party at the last August election, and in denouncing the Chouteau murders, and was invited by Mr. Pope, near Pappinville, last June.

Mr. Bloomfield had been frequently ordered and advised to leave during the week, as the Missourians were collecting around one Falls to the number of five hundred, but he persisted in refusing to leave till Friday morning last, when a pro-slavery friend, stating that he meant to remain as long as life lasted, his friend informed him that Hamilton had already killed a Mr. Bailey, and was on his way with a hundred and forty men to kill him. Mr. Bloomfield had been working and had his coat off; looking up he saw a mounted party approaching around his barn, about two hundred yards distant, and had only time to slip on his son's shoes, while his daughter threw him his coat, as he leaped over the fence and made his way to the woods. After pursuing his way for a mile or so, Mr. Bloomfield obtained a horse of a friend, and reached this place yesterday morning, and in the evening learned that everything that Hamilton could lay his hands upon, had been given to the flames, probably to the amount of \$15,000. He has some five hundred acres of land, and about \$1,500 in cash buried, which he thinks he cannot recover.

What has become of his family he does not know. He has two sons, men grown, who, if they have not made good their escape, have shared the fate of Bailey.

On his way to the town, Mr. Bloomfield learned that Montgomery was coming to repeat the invasion, and was confident of his ability to overthrow Hamilton. What will be the upshot of this affair is impossible now to forecast, but if Hamilton should get the upper hand, the most fearful consequences will follow, as can easily be imagined by a glance at his army and equipment. This will all be in reply to the killing of one man and the stealing of those negroes, horses and mules. What a contrast this will exhibit to the conduct of Montgomery, last May, when, after Hamilton had gathered up eleven white men from the public lands, in the field, work shop and counting-house, and taking them into a lonely ravine and there remorselessly shooting them down, he (Montgomery) marched into West Point with one hundred and sixty men to demand that Hamilton and his confederates should be delivered up, not the least of the head of a single person was injured, nor an article of property disturbed in town; while, at the same time, some of the murderers were arrested in town and run off, in direct violation of the agreement then and there made.

Minnesota Outraged.

Just as we go to press, there comes to us the appalling intelligence that Reinhart, supposed to be the murderer of Bodell, and who has been in the jail of St. Paul for the last month, has been hung—mercilessly, strongly up, and "sent to his account, with all his imperfections on his head."

About noon on Monday, the 27th inst., a band of some thirty or forty men marched into the town of Lexington, determined to take their looks, pistols, knives and guns in their hands. As they came in from the east, it is supposed that they were from the Eastern part of Le Sueur County, and from Rice, which is neighboring.

Marching to the jail, they proceeded to force it open; but after a short and stoutly built man, it was not till after the lapse of about two hours that they were successful. The prisoner, who had not only been handcuffed but also chained to the floor, for fear he might escape, burst asunder his chains, and in his desperation tore the handcuffs from his wrists, drawing them with main strength over his hands, completely tearing off the flesh. With his lacerated, but freed hands, seizing the leg of the stove, he defended himself with the strength and meanness of an infuriated tiger. His strength soon failed him, and he was thoroughly exhausted, he faintly, then soon becoming an easy prey to his cold-blooded murderers. Taking him about half a mile distant, and fastening a rope about his neck, they strung him up over the limb of a tree. Once they let him down, for the purpose of receiving a confession from him, if he had any to make, but protesting his innocence, they belated him up, and in a short time Reinhart was launched into eternity. This last report was generally accepted and believed as being the most probable, but all doubt was shortly removed by the publication of the following Government Order: "The Tai-Koon is dead! All the people will, therefore, commence the national mourning on the 4th of October, and continue through the following fifty days. As usual, none but necessary work will be allowed." Of the death of the Emperor there is not the slightest doubt, but whether by Harbort or poison, is not as yet been made known. That the death was not the result of natural causes appears certain, and the Dutch say that Harbort is the most probable, the report received on the 5th October, stating his death to have resulted from an anasarca (dropsy of the cellular membrane) so the contrary notwithstanding.

THANKS.—Our thanks are due to Hon. E. Wade, for a copy of the Patent Office Report (Agricultural) for 1857.

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1859. 1859.

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The Jeffersonian Democrat.
JULIUS O. CONVERSE, Editor.

CHARLTON, O., FRIDAY, JANUARY 14, 1859.

Scholarships for Sale.
One in the Ohio State and Union Law College, Cleveland, and one in Folsom's Commercial College, Cleveland. They are transferable, and will be sold at a discount, if applied for soon.

BUSINESS NOTICE.
Having disposed of our establishment, we must call upon all those who know themselves to be indebted to us, either on subscription, job-work or advertising, to settle the same without delay. It is not reasonable to ask of all who owe us to settle up, as soon as possible, and we trust no one will delay in doing their duty toward us. The business will continue to be run by prompt paying subscribers by our successor, and those who have not paid in advance should do so at once, that we may commence the New Year with substantial grounds of confidence.

N. B. Those of our subscribers who are indebted for one year or more, who wish to have the paper continued, can by paying arrears, and one year in advance, have the same at the rate of \$1.50 per year, if paid by the 1st of February; if we are obliged to go round and make collections, we shall charge the \$2.00 invariably, according to our published terms.

J. S. WRIGHT.

Charlton, Dec. 21, 1858.

The Governor's Message.

We this week present to our readers the Message of Governor Chase. Its great length should not prevent any one from giving it a thorough perusal. Like all the Messages of our distinguished Executive, it is its own best commendation, and proves its author a statesman of enlightened views and benevolent purposes. Men may honestly differ from Gov. Chase, in regard to some of the views expressed in his Message, yet all must admire his ability, industry and patriotism. Few men are so well fitted to adorn any public station, as Salmon P. Chase.

What a difference between our Governor's Message and that of the President of the United States! The one is characterized by statesman-like views and beauty of diction rarely found in such a document; the other is devoted to low partisan schemes, and characterized by a pitifully style, disgraceful to its author, and to the high station he so unworthily occupies. No intelligent reader can fail to note the marked contrast. It would be a blessed thing for our country and humanity, if Gov. Chase could be elevated to the Presidential Chair, and President Buchanan sent into political obscurity.

The Administration of Gov. Chase will long be remembered with gratitude by the people of Ohio. He has proved a faithful public servant, and his official career reflects honor upon himself and upon the State.

The Emperor of Japan Dead.

The following interesting particulars relative to the death of the Emperor of Japan, we glean from the letter of Lieut. Holmstrom, of the U. S. steamer Powhatan, recently published in the Philadelphia Ledger. The letter is dated on board ship, at Nagasaki, Japan, October 19, 1858, and is as follows: "It was said that, after the signing of our last treaty, (20th of July), the Emperor of the Tai-Koon, or Imperial Emperor at Yedo, to the Mikado, or Spiritual Emperor at Mico, for his approval. The latter, however, who is said to be a young man of eighteen, aware of his rights and power, and determined to enforce them, refused his approval on the ground that the treaty, and departing boldly from the timid policy of his more immediate predecessors, intimated that of the 'old regime,' and notified his 'great ruler,' or Tai-Koon, that, in obedience to the laws of Japan, the time had come for him to commit 'harakiri.' The great ruler therefore stabbed himself in the bowels, receiving at the same time a severe blow on the back of the neck, and died instantly. The death of the Emperor produced instant death. This bold stand on the part of the Mikado, who has been treated by the late Tai-Koon more as a puppet than a master, has startled the Japanese and caused them to expect some great changes. What these are to be, however, they do not say."

The above is the account by one post, while another reports that the Emperor was poisoned, and that three of the great princes composing the suite of twenty, who actually govern Japan, had been conspired for the part they had taken in the treaty. A third arrival still further varies the story by stating that the Tai-Koon has simply been deprived of his office for a time, and that he will return to power after a few years. It is further stated that the three princes were dismissed from office by the Tai-Koon previous to his own removal, in the hope that the Mikado would consider that a sufficient reparation, and so consent to stay further proceedings. This last report was generally accepted and believed as being the most probable, but all doubt was shortly removed by the publication of the following Government Order: "The Tai-Koon is dead! All the people will, therefore, commence the national mourning on the 4th of October, and continue through the following fifty days. As usual, none but necessary work will be allowed." Of the death of the Emperor there is not the slightest doubt, but whether by Harbort or poison, is not as yet been made known. That the death was not the result of natural causes appears certain, and the Dutch say that Harbort is the most probable, the report received on the 5th October, stating his death to have resulted from an anasarca (dropsy of the cellular membrane) so the contrary notwithstanding.

THANKS.—Our thanks are due to Hon. E. Wade, for a copy of the Patent Office Report (Agricultural) for 1857.

Also, to Hon. P. Hitchcock and D. Cadwell, for various favors.

Arrested for Burglary.

On Thursday night, of last week, a young man by the name of M. M. Murphy, and one whose name is unknown, broke into the house of Mr. Luther Pease, in Hamilton, stole some clothing, and left, taking the key of the outer door with them. They soon after attempted to break into the post-office at Hamilton Centre, but, awaking the post-master, were frightened away, and tracked to the premises of Mr. R. Beach, where they were arrested. On the following day, they were examined before L. C. Maynard, Esq., of Hamilton, and bound over to the next term of Court. Their bail was fixed at \$500 each, and, failing to obtain it, they were committed to jail. A circumstance occurred at their examination, which induced the suspicion that young Beach (son of Mr. R. Beach) might be implicated with them, and which led to his arrest. He refused to give any information as to his knowledge of their guilt, or to permit a search to be made. A vigilant watch was kept up during Friday night, and, on Saturday morning, the requisite papers were obtained for his arrest, and for the search of his father's premises. He has since been examined in this place, before Esq. Hathaway and Sisson, and bound over to be now at liberty, having been held to bail in the sum of \$100. His arrest was made at the instance of Messrs. Rexford and Hamilton, on the supposition that his examination might throw some light on the burglaries committed in this village, during the past year. We understand that one article, proved to have been in the possession of Beach, is identified as among those stolen from the store of Rexford & Canfield; and that several articles answering to the description of "stolen property," have been traced to the possession of Murphy's mother, who is now dead.

Young Beach was certainly very unwise in refusing to answer inquiries, or to grant the desired search, as he thereby subjected himself to suspicion and arrest; but, as he had always sustained a good reputation, we hope yet to be able to record the proof of his innocence. We prefer to postpone all further comments, until the guilt or innocence of these young men shall be legally determined.

—Since the above was written, we learn that Beach has again been arrested, on a fresh charge of burglary.

FATAL ACCIDENT.—Mr. Festus Fuller, of Fuller's Mills, Newbury Township, in this County, came to his death on Sunday, the 21st inst., under very painful circumstances. He was riding on a load of wood upon his premises, when his wife threw up a clothes line, that he might drive under it; the line came in contact with his neck, throwing him violently over the side of the wagon on to the ground, and breaking his back in two or three places. Mr. Fuller is said to have been a worthy man, and much esteemed by his neighbors and friends.

The Ten Per Cent. Interest Law.

The bill to repeal the ten per cent. interest law, and to establish a uniform rate of interest at seven per cent., has been defeated in the House. The vote stood, yeas 48, nays 47. It will be seen that the bill received a majority of the members present, but, failing to receive a majority of the members elect, it was defeated. Twelve members are named as absent or not voting. We are glad to notice that our Representatives voted in favor of the bill. Messrs. Allen and Daming of Ashtabula, French of Lake, Bell of Medina, Monroe of Lorain, Fernald of Erie, Howe and Townsend of Trumbull, Laughlin of Portage, and Sperry of Summit, voted the same way.

The Ohio State Journal concludes an able article upon the ten per cent. law, by stating the following facts, as the result of the experience of a large majority of the business men of the State:

1. There are few legitimate business pursuits in which capital can be employed so as to enable the borrower to pay ten per cent. for the use of money, and to leave him a sufficient profit to compensate for his time, labor, and the risk incurred. Capital gets more than fair proportion, when industry and enterprise are compelled to put up with the pittance that may be left—Therefore, for the State to establish and encourage so high a rate of interest, is not only assuming an unnecessary responsibility, but it is doing injury to its citizens, by so doing as to smooth the way for the easy subjugation of labor to capital.

2. When six per cent was the rule and ten per cent the exception, under the old law, ten per cent was the rule and six the exception under the present law. The tendency of the ten per cent law has been to encourage the withdrawal of capital from individual enterprises, for the purpose of employing it in money-lending. The amount thus withdrawn from the ordinary and legitimate channels of business, to be loaned to speculative enterprises, inflates unsafe speculations, will more than counterbalance the amount of foreign capital which the friends of the law contend, has been attracted hither from other States, by the promise of a heavy rate of interest.

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4. There are three considerations which enter, or ought to enter, into every transaction between the borrower and the lender. The first is, safety of investment; the second, promptness of payment; and the third, the rate per cent paid. Now the tendency of this ten per cent law is to injure unjustly to both parties, encouraging the borrower to pay more than he can afford to pay, and tempting the lender to look more to the consideration of interest, than to the two more important ones first named. Even with all his prudences, the latter cannot rely with the same certainty upon the ability of a debtor to pay principal, and the interest thereon at ten per cent, as upon another, in all respects similarly situated, who pays only six per cent. Other things being equal, there would be a running odds of four per cent upon the amount in the hand of the lender, and nine tenths of the credits on interest, now existing between the business men are weighed down with a rental of at least four per cent more than they would be carrying, had the ten per cent. law never been enacted. So long as government interferes at all between the business operator, who furnishes his capital, and the borrower, it is its imperative duty to fix the rate of interest so fairly to divide the profit arising from capital employed in business, between the capitalist who simply furnishes the money, and the business operator, who furnishes his time, and experience or skill—who assumes the responsibility of payment to the former—in the majority of cases giving security therefor upon other property, and who takes all the hazards and risks of the enterprise.

EDITORIAL SUMMARY.

Our sleighing is gone, and the streets are in a muddy condition.

The letter of our Columbus correspondent which we publish this week, came just too late for insertion in our last issue.

The Ashtabula Sentinel states that four chattels, in a state of transition into human beings, passed through Jefferson, last week.

Tue. Hon. Wm. Pitt Fessenden was re-elected on the 11th inst., as U. S. Senator from Maine for six years from 4th March next.

We learn that Mr. Reed, the American Minister to China, is working harmoniously with the British Commissioner, upon the tariff question.

Mr. T. D. Jones, a celebrated designer and sculptor, has finished his clay model of the bust of Gov. Chase, and is expected to model the bust of Hon. Thomas Ewing.

It is reported that Dan Rice has sold his interest in his "Great Show" for \$75,000 in cash and 17,744 acres of land in Texas; on this land it is said he intends to settle many poor families.

J. H. PRESTON, of Newgate, whose house suspended last fall with liabilities to the amount of nearly \$100,000, gives notice that he is ready to pay all demands in full, whether compromised or not.

A destructive fire occurred on the night of the 11th inst., at the corner of Lake and Jefferson streets, Chicago, by which nearly the entire block was consumed. Loss estimated at about \$40,000; insurance \$25,000.

The filibusters who went out in the Susan, met with shipwreck on Glovers Reef, 60 miles from Balise. The schooner is a total loss, but the men were all saved, and were sent back to the U. S. by the British Governor, in H. B. M.'s ship Basilisk, and arrived at Mobile on Saturday last.

The employees on the Chicago and St. Louis R. R., struck for higher wages on the 10th inst. It is reported that they have not received any wages for the last six months past. Trains were stopped at Joliet and Springfield. Considerable excitement prevailed along the line in consequence.

We regret to notice a long communication in the Cleveland Herald, upon the Cole case. Though written with considerable ability, it exhibits a bitterness of feeling and want of candor which we are sorry to see. We had hoped that the press was done with this case. No possible good can result from reviving its discussion at this time.

Gov. Stewart, of Missouri, delivered his Message on the 6th inst., in which he alluded to the recent depredations committed on the citizens in the border counties of Kansas by the banditti under Montgomery and Brown. A bill was at once reported authorizing the Governor to call out volunteers to protect persons and property, and appropriating \$30,000 to defray expenses.

The friends of liberty will be glad to learn that Kingsley P. Bingham has been unanimously elected U. S. Senator from Michigan, for six years from 4th of March next, in place of Mr. Stuart, whose term of office expires at that time. Michigan is now thoroughly Republican not only in Congress but out of it; with one solitary exception—that, the member elect to the House of Representatives from Mr. Howard's District, and whose seat is to be contested.

We learn from the Plain Dealer that Louis Schlesinger on the 10th inst. commenced legal suits in the U. S. Circuit Court in that city, against G. N. Haggood, of the Western Reserve Chronicle at Warren, Ohio, laying his damages at \$20,000, and against Job S. Wright, of the Jeffersonian Democrat, Charlton, Ohio, laying his damages at \$10,000. Messrs. Riddle and Thrasher are engaged for the prosecution. Other suits it is said will soon be commenced, not only against papers, but divers and sundry individuals. He claims that his business was perfectly legitimate and lawfully transacted.

We omitted, last week, to state that, agreeably to previous notice, a Convention of Proprietors of Newspapers in Northern Ohio, was held at the Waldorf House in Cleveland, on the 30th of December, for the purpose of devising some means to protect the interests of the country press. Resolutions were adopted, recommending the execution of advance payments on subscriptions and foreign advertisements. The Convention adjourned to meet in Dayton, on the 17th of the present month, at which time and place it is proposed to take final action upon the subject of the resolutions. The Convention at Dayton will be one of importance to the country press.

FROM COLUMBUS.

Correspondence of the Jeffersonian Democrat.

COLUMBUS, O., Jan. 1st, 1859.

EDITOR DEMOCRAT.—In coming over the road from Cleveland to Columbus, this day, at almost every station, members of one or both Houses of the Ohio Legislature are on board the cars, until, on our arrival here, where there is a pretty strong delegation of that august body. Getting on board an omnibus with a party of them, as we arrive at the "Nell," the first thing heard is the salutation from Wheeler, "I'm glad to see you gentlemen." Who doubts it? By the way, this seems to be a pretty general expression of the hotel-keepers and citizens of this city, and your correspondent comes to the conclusion that this is an honest expression, so long as the Treasury is flush, and there are not too many large holes in the members' pockets. There are two periods when they all feel very particularly friendly—when the members are arriving, and when the appropriation bills are being passed; and occasionally when an extra session is talked of. Many members have already arrived; still, at present, there is hardly a prospect of a quorum by Monday. The members who have arrived generally look well, seem happy in meeting old associates, and appear ready to unite with them in arduous labor for the dear people.

MONDAY, Jan. 31.

Contrary to the expectation on Saturday evening, the arrivals were such, during the night of that day, as to make it very evident by yesterday morning, that a large majority would be present to-day. How the day was spent by all—whether as it should be, by the representatives of a Christian people, or with some latitude—is uncertain. True it is, that many visited church for an hour in the morning; others could not forego the temptation of a pleasant day, and boom companions to wander over the city, and converse upon the past, the present and the future. The expressions, "How do you do?" "How have you been?" "What's the news?" &c., seemed to have been stereotyped, so constant was their use. Those words, too, with remarks upon the weather, seem to furnish the staple for much of the conversation of friends so joyfully to meet each other.

This morning, at 10 o'clock, both Houses met pursuant to adjournment, with a quorum present. After an exchange of the usual messages, the Private Secretary of the Governor appeared with the Annual Message, which was immediately read in the Senate, after which that body adjourned over until to-morrow.

The House, more to industry, inclined, took a recess until 10 o'clock, meeting at which time, the Message was read and appropriately referred. Various resolutions were adopted, not of general interest, and the bill known as Haggood's Interior Bill was taken up, and made the special order for Wednesday, at 11 o'clock. This is a bill providing a repeal of the ten per cent. interest law, and a uniform rate of seven per cent. The House also passed a bill to correct the error in the published law for the election of sheriffs and coronors, passed at the last session, so that the term of those elected in 1856, shall close January first, 1859, and those elected in 1857, shall close January first, 1860.

The Message, which is an able, business-like document, discusses matters of State policy, and leaves National matters to take care of themselves. By the kindness of conductors on the C. & C. R. R. Road, I sent you an advance copy of the Message, this morning, which I trust you will receive in time for your paper of this week.

John G. Doran, Official Reporter of the House, having, under the powers that be, obtained a clerkship at Washington, and resigned his place, and the House having resolved to fill it to-morrow, the party are this evening in caucus, to determine who of all the hungry ones in waiting, shall get this dainty bit.

The weather since our arrival here, had been remarkably pleasant, until toward evening of day, when the clouds overcast the horizon, and it is now snowing. From appearances think you must be having a touch of winter in Charlton.

R.

Geauga County Agricultural Society.

At the Annual Meeting of this Society, held in Burton on the 10th inst., the following officers were appointed for the ensuing year:

President—C. Palmer, Chester.
Vice President—N. E. Scott, Troy.
Treasurer—H. S. Talles, Burton.
Secretary—H. E. Ford, Burton.
Executive Committee—D. Williams, Burton; D. Robinson, Russell; H. Carroll, Munson; U. C. Hickox and W. W. Munn, Newbury.

The Treasurer's Report showed the Society to be in a prosperous condition, numbering 749 members, and being now clear of debt. The officers hope to extend the Premium List to a greater length than heretofore, and, with the addition of a large Horse Ring and some acres more to the Grounds, (which have proved to be too small for the accommodation of all the people at the Fair,) they expect to satisfy all competitors, and the world at large.

WESTERN LAW MONTHLY.—We have received the first number of the Western Law Monthly, published at Cleveland. Chester Hayden, L. L. D., is General Editor; J. J. Elwell and M. M. King, Associate Editors; and Edward R. P. Ranney, Editor of the Code Department. In size and appearance, this number resembles the Atlantic Monthly. The cover is adorned with a portrait of Mr. Justice McLean. The names of the editors of the Western Law Monthly are a sufficient guaranty that it will be ably conducted, and prove of great value to the legal profession.

Report of Treasurer of Ohio.

Of the over-issue of the Seneca County Bank the report says:

This Bank went to protest on the 11th day of March last. I have redeemed of its circulation \$100,579, being more by \$879, than should have been outstanding. There is left \$2,121 still in my hands, belonging to the Bank. On protest I immediately appointed Hon. W. B. Thrall as Receiver, who took possession of the books and papers of the Bank. Soon after, Judge Thrall was appointed Comptroller, of the Treasury, and thereupon he resigned his position as Receiver. I thereupon appointed J. T. Claypool to fill the vacancy, who at once gave bonds and entered upon the duties of the post. No assets of any value were found. It will be seen by the annexed history of the Bank, carefully compiled from its books by the Receiver, that on the 25th day of April, 1857, the stockholders met, and divided all the assets among themselves, leaving the circulation to be provided for by the stocks deposited with the State Treasurer. Although this transaction was wholly illegal, yet having provided for the general creditors, no wrong would have grown out of it, had there not been an over-issue of circulation still unprovided for, and unknown except to the parties concerned in the fraud. What the amount of this fraud is I am unable to say, but the probabilities are that it is \$25,000, or \$38,887. The Receiver has given notice to the bill holders to return the circulation to him, giving receipts for the same, and will commence suit against the stockholders to recover back the amount of their liability. There is no doubt of their liability for every dollar of this over-issue.

But, while these suits are pending, the bill holders must wait for their money.—The opinion seems to be very general that the State in good faith, is not only bound to take up the over-issue of this Bank, but also the over-issue of the Canal Bank of Cleveland. This opinion is undoubtedly founded on the rule of law, that a principal is bound by the acts of his agent, so far as he has authority to act for him.—These frauds could not have existed, except by the acts of an agent of the State. It is also equally true that the law positively forbids the Treasurer from issuing more circulating notes than there were stocks deposited. But, having consented to become a kind of stakeholder, between the bill holders and the Banks, it is at least a debatable question whether the State is not morally bound to assume the responsibility of the acts of its agent. This question should be settled by the Legislature, that the people may know what to depend upon in this class of cases.

Mr. Claypool comes to the following conclusion:

From the facts that I have related, it is impossible to resist the conclusion that the officers, and at least a portion of the stockholders, including Mr. Gibson, were well aware of the over-issue, and also that the closing of the Bank at the time and in the manner in which it was done, was to say the least of it, illegal, and that my claim as Receiver, upon the stockholders for the amount of stock paid back to them, and upon the assets transferred, is, undoubtedly. Under advice, I have already commenced efforts for the recovery of some of these assets, and shall take such prompt measures as the delay of the law will permit, to recover sufficient amount from the stockholders and assets, as will cover all outstanding claims for circulation or otherwise; and as the stockholders (most of them are said to be responsible men,) I have little doubt but that with some delay, all claims for its circulating notes will be paid with interest.

The following remarks in the Treasurer's Report will be read with interest by the tax payers of the State. The suggestions at the close are worthy the consideration of the law-making power: "You will observe that the appropriation for Sec. 3, of the Canals, has been overdrawn, to the amount of \$15,134 01. The unprecedented floods of June, damaged the Hocking Canal, and the Southern division of the Ohio Canal, to such an extent as to render them entirely unavailing for the rest of the season, without an expenditure of some fifteen or twenty thousand dollars over and above the appropriation for this division.

This misfortune to the State presented three alternatives: to call an extra session of the Legislature, to permit them to remain useless the remainder of the season, or to pay the expense of repairs with out express authority of law. After a thorough investigation of the facts by your Excellency, the Attorney General, the Auditor, Secretary of State, and Comptroller, it was unanimously agreed that it was our duty to put them in repair; without putting the tax payers of the State to the expense of an extra session of the Legislature.

The following statement will show what has been saved to the State by the policy adopted:

Receipts from the Hocking Canal, from the time repaired to Nov. 15, 1858.....\$10,159 21
Estimated receipts the same as last year, for the balance of the season.....2,094 32
Receipts from the same time on the Ohio Canal, from the time repaired to Nov. 15, 1858.....18,998 77
Estimated receipts same as last year for the balance of the season.....4,495 90

Total receipts.....\$35,658 21
Delinquent amounts paid for repairs over appropriation.....15,134 01
Net gain to State by repairs.....\$20,424 17

Besides this, there would have been a large falling off in the receipts of the Northern section of the Ohio Canal, if these sections had not been repaired. Estimated expense of extra session: Expenses per diem of members and officers.....\$2,400 00
Mileage of members.....5,200 00
Printing, stationery and incidental expenses.....3,000 00
Total expenses of extra session.....\$10,600 00
This estimate is based on a session of two weeks. It will be readily seen by the above statement that the policy adopted has saved the State at least the expense of an extra session of the Legislature. I have been thus minute in the statement of the facts in this case, in order to justify myself before the Legislature, and the people of the State, for the responsibility I have assumed, in connection with the other State officers. Nothing but the most imperative necessity should ever induce a public officer to expend the public funds without express authority of law. This seemed to me to be such a case. I feel that I should have been unfit for the trust imposed upon me by the people of the State, had I not assumed my share of this responsibility.

The Southern Railroad Disasters.

It was our misfortune to witness a most heartrending scene of suffering and death yesterday morning. The daylight train from Macon was crossing a small culvert about a mile and a half from this city, the locomotive and tender were precipitated into the water—the tank, which was about four feet high, having been washed away—the train was moving slowly at the time, but the momentum was sufficient to urge the forward part of the engine up on the bank, while the hinder part was in the water. In the rear of this was the tender, in a nearly perpendicular position, and so close to the engine as to confine between the two the bodies of two firemen, one a white man by the name of Walker, and the other a negro, who, we understand, is the property of Mr. John L. Mustian, President of the road. In this situation they were crushed or scalded to death. The accident occurred about 5:30 o'clock. Every effort was made by the hands and passengers to extricate the sufferers, but without success. Mr. Walker was probably killed by the shock, as he never spoke afterward. The negro, however, was conscious of half an hour, as it seemed to us that for so long a time he screams shrilly, and his sympathizing but impotent hearers.

The engineer, Mr. George Smith, was thrown from the engine, a distance of ten feet, and either by the fall or the blow he caused, it had the bone of his hand broken. It was not by Dr. Brazemore, from whom we learn that he is not dangerously injured. No responsibility can reasonably attach to the engineer for the accident. He was running very cautiously and slowly, and over a part of the road which had been safely crossed by another train but a few minutes before. The shock to the passenger car was very slight—hardly sufficient to arouse one from a sound sleep.

The most fatal railroad accident that has ever happened in Georgia occurred yesterday morning at 2 o'clock, when the passenger train from Columbus to Macon. The train—some from Columbus and the other from Macon—had passed the station, and the former was passing over the bridge